ORIGINAL

COUNCILMEMBERS
Position No.
1. Tod Gunther
2. Barbara Ford, Deputy Mayor
3. Michelle Gehring
4. Dave Harman
5. Nicola McDonald
6. Josh Penner
7. Scott Drennen

Mayor Joachim Pestinger

ORTING CITY COUNCIL
Regular Business Meeting Summary
Orting Multi-Purpose Center
202 Washington Ave. S,
Orting, WA
October 25, 2017
7p.m.

1. **CALL MEETING TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL.**
Mayor Pestinger called the meeting to order at 7:00pm., in the Multipurpose Center. Councilmember Penner led the Pledge of Allegiance.
Councilmembers Present: Councilmembers, Tod Gunther, Michelle Gehring, Josh Penner, Scott Drennen, Dave Harman, and Deputy Mayor Barbara Ford.
Absent: Nicola McDonald
Staff Present: Mark Bethune, City Administrator, Jane Montgomery, City Clerk, Scott Larson, Treasurer, JC Hungerford, Engineer, Charlotte Archer, City Attorney.

Deputy Mayor Ford made a motion to excuse Councilmember McDonald. Second by Councilmember Harman. Motion passed (6-0)

2. **PROCLAMATION- Domestic Violence Awareness**
Mayor Pestinger read the proclamation, followed by comments made by Tonya Tunnell-Thornhill the Director of Exodus Housing. Exodus House is based in Sumner Washington and assists victims and families affected by domestic violence. Their program brochure was passed out to the Council and the public.

3. **DISCUSSION- Orville Road- Installation of Backflow Prevention Devices**
Kenneth and Carrie Little were present at the October 11th Council meeting and had asked that the Council allow property owners on Orville road an additional opportunity to address Council about the City's requirement for backflow prevention devices on their property's. Mr. and Mrs. Little were present and addressed the Council. They asked for a 30 day extension to install backflow devices on their property from when the water main and new connections to meters are complete on Orville Road.

Public Works Director, Dean Kaelin briefed the City Council on the two year process and the dates and times of prior meetings regarding backflow prevention requirements by the Department of Health. The City Council passed an Ordinance in 2016 for a cross connection program and the City will be held liable if they do not conform to the required regulations. City Attorney Archer advised Council to recess to an executive session to discuss legal issues.

Councilmember Drennen made a motion to hold an executive session. Second by Councilmember Gunther. Motion passed (6-0)

EXECUTIVE SESSION
Mayor Pestinger announced the Executive session, per RCW 42.30.110 (i). The Council may take action upon to return to open session. They will be out for 10 minutes.

Mayor Pestinger recessed to Executive session at 7:42pm for 10 minutes.

Mayor Pestinger called the meeting back to order at 7:52pm and then recessed the meeting for a 3 minute break.

Mayor Pestinger called the meeting back to order at 7:55pm. The Mayor asked to add a discussion regarding the easement agreement on Orville Road in regard to the contractor replacing fencing. Discussion centered on whether or not the City Council needed to take action on this if payments to homeowners exceeded $5000.
City Attorney Archer advised Council that no action was required as this had previously been approved by City Council.

4. HEARINGS
A. AB17-83-Property Taxes 2018 – First Reading of Resolution No. 2017-14.
Mayor Pestinger opened the hearing at 8:03pm and read the rules for the public hearing. Scott Larson, Treasurer, gave a briefing with a power point presentation. This is the first reading of the resolution.

Public Comments
Chris Hopfauf
Mr. Hopfauf is opposed to the property tax.

Doug Bishop
Mr. Bishop is opposed to the property tax.

Mayor Pestinger closed the hearing at 8:20pm.

B. AB17-84- Surplus of Real Property- Resolution No. 2017-15 Declaring Property To Be Surplus, And Authorizing The Mayor To Dispose Of It In Accordance With Orting Municipal Code And State Law.
Mayor Pestinger opened the hearing at 8:20pm. Mark Bethune briefed that this concerned the sale of the Public Safety building to Orting Valley Fire and Rescue. Pursuant to RCW 35A.11.010, the City is authorized to dispose of real property for the common benefit, via an intergovernmental transfer to another public agency, for full value of the real property, pursuant to RCW 39.33.010. By Resolution No. 2017-01, the City Council previously declared its intent to sell the City's Public Safety Building to Pierce County Fire Protection District No. 18, and authorized the Mayor to enter into discussions to effectuate the sale. Pursuant to RCW 39.33.020, prior to transferring the real property for full value to the buyer, the City must declare it to be surplus to the City's needs. By this Resolution the City Council so declares and authorizes the Mayor to dispose of the real property in accordance with the terms of RCW 35A.11.010.

Public Comments
Doug Bishop
Mr. Bishop felt he did not have enough information to make an informed decision about this sale. He also wanted to know what the City would be paying in rent while they stay in the building.

Mayor Pestinger closed the hearing at 8:22pm.

Councilmember Harman made a motion to Approve Resolution No. 2017-15, Declaring Real Property To Be Surplus And Authorizing The Mayor To Dispose Of It In Accordance With The Orting Municipal Code And State Law. Second by Deputy Mayor Ford. Motion passed (6-0)

C. AB17-85-Surplus of City Property- Resolution No. 2017-16, Declaring Property To Be Surplus, And Authorizing The Mayor To Dispose Of It In Accordance With Orting Municipal Code And State Law.
Mayor Pestinger opened the hearing at 8:26pm. Mark Bethune Briefed. Pursuant to RCW 35A.11.010, the City is authorized to dispose of real property via an intergovernmental transfer to another public agency, for full value of the real property, pursuant to RCW 39.33.010. Pursuant to RCW 39.33.020, prior to transferring real property valued at over $50,000 for full value to the buyer, the City must declare it to be surplus to the City's needs. The City was recently approached by Pierce County who submitted a proposal to purchase a portion of Tax Parcel No. 0519362003, which is a parcel owned by the City that abuts a County roadway. Pierce County's appraiser valued the portion proposed for purchase at $40,500. The Mayor reviewed the appraisal and countered with a demand for a sale price of $45,500. This Resolution declares the property to by surplus (although this is not strictly required, as the property is valued at less than $50,000), and authorizes the Mayor to dispose of the real property in accordance with the terms of RCW 35A.11.010. The City will ensure that a clause is written in to the contract to protect the area within 200 feet of Wingate spring.

Councilmember Gehring made a motion to Approve Resolution No. 2017-16, Declaring Real Property To Be Surplus And Authorizing The Mayor To Dispose Of It In Accordance With The Orting Municipal Code And State Law. Second by Councilmember Harman. Motion passed (6-0).

5. PUBLIC COMMENTS
Chris Hopfauf
Mr. Hopfauf stated that candidates had their political signs in the City right of way. He stated that he has the right to remove those signs.

6. PRESENTATION- Matrix Organizational Assessment Report.
Alan Pennington presented the final Organizational Assessment Report to the Council. He gave a PowerPoint presentation which was followed by a question and answer session.

7. CONSENT AGENDA
- Minutes of October 11, 2017
- Payroll and Claims Warrants
- Claims and Warrants #2

Deputy Mayor Ford made a motion to approve Consent Agenda as prepared. Second by Councilmember Harman. Motion passed (6-0)

8. COMMITTEE AND COUNCIL STANDING REPORTS

Technology
No Report.

Public Safety
No Report.

Emergency Preparedness
Mark Bethune briefed on the last meeting which was attended by community partners. The School District, Fire district, City staff, and the Soldiers Home. They discussed the Richter 9 earthquake and the plan for the City. He reminded everyone that assistance will likely not come to Orting from outside governmental agencies, and advised that citizens need to have family plans in the event of such an emergency and have 14 days of food and water stored up.

Transportation
No Report.

Mayor's Report
Mayor Pestinger will be attending the meeting of the Puget Sound Regional Council tomorrow in Seattle. Last week the Mayor and Councilmember Penner attended an event at the Soldiers Home, honoring Daughters of the American Revolution.

Miscellaneous Activity/Community Reports.
Councilmember Harman reported on his attendance at FEMA training and his attendance at the Pierce County Regional Council meeting last week in the Mayor's stead.

9. OLD BUSINESS

A. AB17-86 -Selection of Deputy Mayor.

Deputy Mayor Ford briefed on the process to approve the Deputy Mayor. The Committee met on October 10th. The traits of a good Deputy Mayor were highlighted. Discussion followed about waiting until 2018 to choose a Deputy Mayor and Council was informed that they would need to suspend their rules if they wished to wait.

Deputy Mayor Ford made a motion to approve the appointment of Dave Harman as Deputy Mayor for the year 2018 effective January 1, 2018. Second by Councilmember Gehring.

Roll call vote was taken. CM Gunther (No) DM Ford (Yes) CM Gehring (Yes) CM Harman (Yes) CM Penner (No) CM Drennen (Abstain). Council Rules are that a vote to abstain counts as a yes. Motion passed (4-2)

B. Orting Library HVAC Replacement.

The City previously went out to bid for the two HVAC systems at the Multipurpose Center. Two bids were received. The City Council asked instead that both systems be analyzed for replacement. This analysis will include life cycle costs and energy consumption. A full energy model will be developed as part of the project. The cost would be $11, 673.50. Discussion followed. City Administrator Bethune

recommended that the City Council consider approving the bid of Lake Tapps Construction and forgo the analysis which is costly. Discussion followed.

Deputy Mayor Ford made a motion to approve the selection of Lake Tapps Construction for the replacement of the HVAC system at the Library in the amount of $39,000. Second by Councilmember Gehring. Motion passed (6-0).

10. ADJOURNMENT

Councilmember Harman made a motion to adjourn. Second by Councilmember Penner. Motion passed (6-0).

Mayor Pestinger adjourned the meeting at 9:45pm.

ATTEST:

Jane Montgomery

Jane Montgomery, City Clerk, CMC

Joachim Pestinger, Mayor